

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA, :
: Plaintiff,
v. : Criminal Action No. 08-01 GMS
: Defendant.

**GOVERNMENT'S MOTION FOR ADDITIONAL TIME TO
RESPOND TO DEFENDANT'S SENTENCING MEMORANDUM**

COMES NOW the United States of America, by and through its attorneys, Colm F. Connolly, United States Attorney for the District of Delaware, and David C. Weiss, First Assistant United States Attorney, and hereby moves for additional time to respond to Defendant's Sentencing Memorandum for the reasons set forth below:

1. Sentencing in the above case is scheduled for June 26, 2008, at 9:30 a.m.
2. Defendant's Sentencing Memorandum is due on June 11, 2008. Defendant's Sentencing Memorandum is expected to include a request for a departure based on diminished capacity under Section 5K2.13 of the Sentencing Guidelines, and will be predicated on the opinions of two experts. Presumably, the Defendant will also argue the application of the sentencing factors set forth in 18 U.S.C. §3553(a).
3. The Government's Response to Defendant's Sentencing Memorandum is due on or before June 18, 2008. Counsel for the Government is on vacation from June 11 through June 17, 2008.

4. The Government respectfully requests an additional two days, until Friday, June 20, 2008, to review Defendant's Sentencing Memorandum and prepare its Response.

5. Counsel for Defendant has indicated that he has no objection to this request.

WHEREFORE, for the reasons set forth above, the United States respectfully requests an additional two days to file the Government's Response to Defendant's Sentencing Memorandum.

COLM F. CONNOLLY
United States Attorney

By:


David C. Weiss
First Assistant United States Attorney

DATED: June 3, 2008

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA, :
: Plaintiff,
v. : Criminal Action No. 08-01 GMS
:
ANTHONY J. LOFINK, :
: Defendant.

ORDER

AND NOW, this _____ day of _____, 2008, upon consideration
of the Government's Motion for Additional Time to Respond to Defendant's Sentencing
Memorandum,

IT IS HEREBY ORDERED that the Motion is GRANTED.

Honorable Gregory M. Sleet
Chief Judge